

### **REMARKS**

Applicants respectfully request reconsideration of the present application in view of this response. Claims 1-23 are currently pending and, of those, claims 22 and 23 have been added by way of this response. Claims 1, 8, 15, 22 and 23 are independent claims.

### **ALLOWABLE SUBJECT MATTER**

Applicant acknowledges the Examiner's indication of allowable subject matter previously set forth in dependent claims 7 and 10. By way of this response, Applicant has added new claims 22 and 23, which include subject matter somewhat similar to that previously set forth in dependent claims 7 and 10, respectively. As such, Applicant submits that new claims 22 and 23 are in condition for allowance.

### **DRAWINGS**

Applicant notes that the Examiner has not indicated the status of the drawings. As such, Applicant respectfully requests that the Examiner indicate the status of such drawings in the next United States Patent and Trademark Office correspondence.

### **ELECTION/RESTRICTION**

Applicant acknowledge the Examiner's rejoining of claims 1-21 in light of Applicant's arguments and linking claims 19-20.

## **PRIOR ART REJECTIONS**

### ***Rejections under 35 U.S.C. §103(a)***

Claims 1-3, 5-6 and 15-21 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Waters (U.S. Patent No. 4,952,498) in view of Zurcher (U.S. Patent No. 6,001,687). Applicant respectfully traverses this rejection.

On page 2 of the outstanding Office Action, the Examiner relies upon the plunger 58 of Waters for allegedly teaching the "plunger" as set forth in claim 1. However, Applicant respectfully disagrees with the Examiner's conclusion.

As shown in Fig. 5 of Waters, the plunger 58 includes enlarged portions 60 and 62 located at its upper end and lower end, respectively, and passes through an opening 56 at the top of a dome 16. A thinner central region 32 is created by a thermal forming or molding process, to form a limp or flaccid pouch or thimble-like region, which is easily inflatable and, when inflated, occupies the entire inner area of the inner surface of dome 16. In operation, the flaccid portion 32 must lift the weight of the mechanical indicator including the plunger and its enlarged ends such that the indicator is visible. The plunger 58 of Waters is "made of very light polymeric materials so that the force required to lift it is not significantly greater than that required to inflate the flaccid portion itself." (See col. 6, ll. 12-15 of Waters). That is, the plunger of Waters is designed such that it is extremely light and does not counteract the required inflation of the flaccid portion 32. Accordingly, contrary to the

"movable plunger," of claim 1, the plunger 58 of Waters is not "effective to counteract an outward deflection of the diaphragm caused by an increase of internal pressure in the vessel," as set forth in claim 1.

Furthermore, on page 2 of the outstanding Office Action, the Examiner correctly recognizes that Waters fails to teach or suggest at least a "self-sealing diaphragm," as set forth in claim 1, and relies on Zurcher for allegedly teaching this feature. However, even assuming *arguendo* that Zurcher could be combined with Waters (which Applicant does not admit), Applicant submits that Zurcher still fails to at least make up for the deficiencies of Waters as discussed above with regard to claim 1. Accordingly, Applicant respectfully submits that neither Waters nor Zurcher, neither alone nor in combination, teaches nor suggest all of the features set forth in claim 1.

In view of the above, Applicant submits that claim 1 is in condition for allowance.

Applicant submits that claim 15 is also allowable for at least reasons somewhat similar to those set forth above with regard to claim 1. However, claim 15 should be governed solely by the limitations set forth therein. Applicant submits that dependent claims 2-6 and 16-21 are allowable at least by virtue of their dependency upon claims 1 and 15.

### ***Rejections under 35 U.S.C. §103(a)***

Claims 8-9 and 11-14 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Waters in view of Zurcher and further in view

of Lautenschlager (U.S. Patent No. 5,382,414). Applicant respectfully traverses this rejection.

For reasons somewhat similar to those set forth above with regard to claim 1, Applicant submits that neither Waters nor Zurcher, neither alone nor in combination, teaches a plunger "effective to counteract an outward deflection of the diaphragm caused by an increase of internal pressure in the vessel," as set forth in claim 8. On page 4 of the outstanding Office Action, the Examiner correctly recognizes that neither Waters nor Zurcher teaches at least "one or more reaction vessels supported and successively movable to a position for microwave energy exposure," as set forth in claim 8, and relies upon Lautenschlager for teaching this feature. However, even assuming *arguendo* that Lautenschlager could be combined with Waters and/or Zurcher (which Applicant does not admit), Applicant respectfully submits that Lautenschlager still fails to at least make up for the deficiencies of Waters and/or Zurcher, as discussed above, with regard to claim 8. Accordingly, Applicant respectfully submits that claim 8 is in condition for allowance.

Applicant respectfully submits that dependent claims 9 and 11-14 are also allowable at least by their virtue of their dependency on allowable claim 8.

### **CONCLUSION**

In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

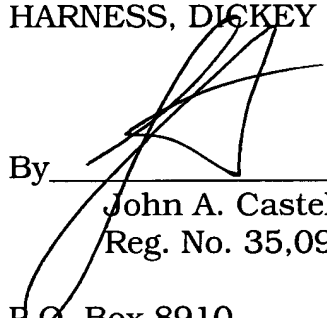
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Andrew M. Waxman, Reg. No. 56,007, at the number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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